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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/630,692	07/31/2003	Yasunobu Suzuki	2003_1066A	7674
513	7590	05/17/2006	EXAMINER	
WENDEROTH, LIND & PONACK, L.L.P.			CAVALLARI, DANIEL J	
2033 K STREET N. W.				
SUITE 800			ART UNIT	
WASHINGTON, DC 20006-1021			PAPER NUMBER	
			2836	

DATE MAILED: 05/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

H.A

Office Action Summary	Application No. 10/630,692	Applicant(s) SUZUKI ET AL.	
	Examiner Daniel J. Cavallari	Art Unit 2836	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,6,8 and 10 is/are pending in the application.
- 4a) Of the above claim(s) 2,4,7 and 9 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,5,6,8 and 10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/31/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

Applicant's election without traverse of species II, depicted in Figures 6, 8, 12, and 14 of Claims 1, 3, 5, 6, 8, and 10 in the reply filed on 2/9/2006 is acknowledged.

Accordingly, claims 1, 3, 5, 6, 8, and 10 will be examined.

Foreign Priority

Acknowledgment is made of applicant's claim for foreign priority based on applications filed in Japan on 8/1/2002 and 7/28/2003. It is noted, however, that applicant has not filed certified copies of either the 2002-224787 or 2003-280883 application as required by 35 U.S.C. 119(b).

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 10/31/2003 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Abstract

The abstract of the disclosure is objected to because it exceeds 150 words in length. Correction is required. See MPEP § 608.01(b).

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference sign(s) mentioned in the description:

- For example, input/output terminals 3a, 3b, and 3c (See Specification, Page 9) are missing from the drawings. The applicant is advised to go through the specification and drawings making sure that all references used in the specification are present in the corresponding drawings.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

Claims 1, 3, & 5 are objected to because of the following informalities:

- The limitation of "...the use of at least one of a wind turbine generator, a solar cell and a fuel cell..." is confusing as it is unclear whether it is meant that "at least

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one " of each of a wind turbine generator, a solar cell and a fuel cell is being referenced or whether at "at least one" of either a wind turbine generator, a solar cell OR a fuel cell is being referenced.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In regard to Claim 1

- The limitation "...for performing co-generated power supply to a load for both of an AC and a DC by the use of at least one of..." is unclear. Particularly, it is unclear whether an "AC" and a "DC" load are being referenced or whether the "AC" and "DC" are referring to the power sources.
- The limitation "the AC power from the commercial AC power source is supplied to the load for both of the AC and the DC as the storage battery approaches the terminal period of discharging" is unclear. Particularly, it is unclear what is meant by the "terminal period of discharge". The examiner notes that the specification

discloses the condition "...Utility is supplied to the Load Lac/dc for both the AC and the DC as the storage battery B proceeds to be discharged and approaches the terminal period of discharging" (See Page 7 of Specification) but fails to adequately describe what is meant by the term or condition "terminal period of discharging".

- Claim 1 recites the limitation "the terminal period of discharging" however "a terminal period of discharging" is not previously disclosed. There is insufficient antecedent basis for this limitation in the claim.

In regard to Claim 3

- The limitation "...for performing co-generated power supply to a load for both of an AC and a DC by the use of at least one of..." is unclear. Particularly, it is unclear whether an "AC" and a "DC" load are being referenced or whether the "AC" and "DC" are referring to the power sources. The examiner notes that the specification enables for a three-winding transformer supplying power to either an AC or a DC load (See Figures 6, 8, 12, 14) but fail to enable both an AC and a DC load connected in the same embodiment, as disclosed in Figure 3.
- It is unclear what constitutes a "mutually insulating manner".
- It is unclear what constitutes a "...time zone of nighttime and midnight electric power supply". The dictionary definition of "time zone" is "a geographical region within which the same standard time is used" making the phrase "time zone of

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nighttime" unclear. Furthermore, it is unclear what constitutes "midnight electric power."

In regard to Claim 5

- It is unclear what is meant by the limitation of "A co-generated power supply system for performing co-generated power supply to a load only for an AC...." Particularly, it is unclear what is being referenced as "an AC" whether it be an AC load or source.
- It is unclear what constitutes a "mutually insulating manner".
- It is unclear what constitutes a "...time zone of nighttime and midnight electric power supply". The dictionary definition of "time zone" is "a geographical region within which the same standard time is used" making the phrase "time zone of nighttime" unclear. Furthermore, it is unclear what constitutes "midnight electric power."

Because of the 112 problems above, no art can be applied to Claims 1, 3, 5, 6, 8, or 10.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Schienbein et al. (US 2001/0004170 A1)

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- Manolis et al. (US 2003/0160454 A1)
- Bayoumi et al. (US 2004/0044442 A1)
- Wacknov (US 6,639,328)
- Tamechika (US 5,686,766)


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Cavallari whose telephone number is (571)272-8541. The examiner can normally be reached on Monday-Friday 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (571)272-2800 x36. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel Cavallari

April 18, 2006



BRIAN SIRCUS
SUPERVISORY PATENT EXAMINER
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